

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITHOUT PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-B and defendant American Medical Systems, Inc. (“AMS”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions without prejudice, and terminate AMS from the docket in the actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/ Barbara R. Binis

Barbara R. Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg

Erik W. Legg (WVSB 7738)
FARRELL, WHITE & LEGG PLLC
P.O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
ewl@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Wendy R. Fleishman

Wendy R. Fleishman

LIEFF CABRASER HEIMANN & BERNSTEIN

8th Floor

250 Hudson Street

New York, NY 10013-1413

212.355.9500 (phone)

212.355.9592 (fax)

wfleishman@lchb.com

Attorney for Plaintiffs on Exhibit A

/s/ Mark Alan Milstein

Mark Alan Milstein

MILSTEIN ADELMAN

Suite 1400

10250 Constellation Boulevard

Los Angeles, CA 90067

310.396.9600 (phone)

310.396.9635 (fax)

mfox@majfw.com

Attorney for Plaintiffs on Exhibit B

Dated: March 21, 2017

EXHIBIT A – LIEFF CABRASER HEIMANN & BERNSTEIN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-11996	Tina Forsyth, Timothy Neal Forsyth v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT B – MILSTEIN ADELMAN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-21183	Lisa A. Gonzales v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis